

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

6

C-5

CONSTRUCTION ON STATE HIGHWAY IN
TULARE COUNTY FROM 0.4 MILE WEST OF ROAD 152 TO 0.7 MILE WEST OF ROAD 160
In District 06 on Route 190

UNDER

Notice to Bidders and Special Provisions dated October 17, 2016
Project plans approved June 20, 2016
Standard Specifications dated 2015
Standard Plans dated 2015

Identified by

Contract No. 06-0P5904

06-Tul-190-4.1/4.8

Project ID 0612000182

FEDERAL-AID PROJECT
ACHSSTP-P190(021)E

Bids open Wednesday, November 16, 2016

Dated October 17, 2016

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0P5904 Project ID: 0612000182
Bidder Name: Emmett's Excavation, Inc.
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-OE-0102.1

Bidder ID: VC0000103869

Name of Bidder Emmett's Excavation, Inc.
Business Street Address 6207 East Clinton Ave
(Include even if P.O. Box is used)
Business P.O. Box
City, State, Zip Fresno, California, 93727
Telephone No: AREA CODE 559-347-9188
Fax No: AREA CODE 559-348-9282
Contractor License No. 579845
Public Works Contractor Registration No. 1000005267
Checksum 5927D66E

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non♦plant establishment work within the number of working days bid for non♦plant establishment work.

2. Bidder has and acknowledges the following addenda:3
11-22-16 Revise Bid Book, Project Plans, Notice to Bidders and Special Provi
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

PRINTED NAME: LUCRETIA EMMETT AND
TITLE OF PERSON SIGNING: VICE PRESIDENT

BY (Authorized signature)

DATE SIGNED(Do not type)

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030 PLAN	LEAD COMPLIANCE	LUMP SUM LS	LUMP SUM	2,000.00
2	120090 AREA SIGNS	CONSTRUCTION	LUMP SUM LS	LUMP SUM	12,000.00
3	120100 SYSTEM	TRAFFIC CONTROL	LUMP SUM LS	LUMP SUM	75,000.00
4	120120 BARRICADE	TYPE III	39.0 EA	72.00	2,808.00
5	120151 TRAFFIC STRIPE (TAPE)	TEMPORARY	20,600.0 LF	1.71	35,226.00
6	120165 (SURFACE MOUNTED)	CHANNELIZER	310.0 EA	35.00	10,850.00
7	120300 PAVEMENT MARKER	TEMPORARY	310.0 EA	5.00	1,550.00
8	128652 (LS)	PORTABLE CHANGEABLE MESSAGE SIGN	LUMP SUM LS	LUMP SUM	20,000.00
9	130100 MANAGEMENT	JOB SITE	LUMP SUM LS	LUMP SUM	2,000.00
10	130300 PREVENTION PLAN	PREPARE STORM WATER POLLUTION	LUMP SUM LS	LUMP SUM	2,500.00
11	130330 ANNUAL REPORT	STORM WATER	2.0 EA	2,000.00	4,000.00
12	130560 BINDER	TEMPORARY SOIL	30,000.0 SQYD	0.36	10,800.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	130640	TEMPORARY FIBER ROLL	700.0 LF	3.00	2,100.00
14	130680	TEMPORARY SILT FENCE	500.0 LF	4.00	2,000.00
15	130710	TEMPORARY CONSTRUCTION ENTRANCE	1.0 EA	3,000.00	3,000.00
16	130730	STREET SWEEPING	LUMP SUM LS	LUMP SUM	20,000.00
17	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	1,000.00
18	141120	TREATED WOOD WASTE	680.0 LB	1.20	816.00
19	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	8,100.0 LF	0.80	6,480.00
20	150722	REMOVE PAVEMENT MARKER	76.0 EA	3.00	228.00
21	150742	REMOVE ROADSIDE SIGN	2.0 EA	100.00	200.00
22	150812	REMOVE PIPE (LF)	49.0 LF	50.00	2,450.00
23	160102	CLEARING AND GRUBBING (LS)	LUMP SUM LS	LUMP SUM	30,000.00
24	190101	ROADWAY EXCAVATION	19,500.0 CY	13.00	253,500.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25	200114	ROCK BLANKET	9,850.0 SQFT	21.00	206,850.00
26	205035	WOOD MULCH	260.0 CY	65.00	16,900.00
27	208740	12" CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONDUIT	76.0 LF	190.00	14,440.00
28	210270	ROLLED EROSION CONTROL PRODUCT (NETTING)	6,200.0 SQFT	0.90	5,580.00
29	210300	HYDROMULCH	274,000.0 SQFT	0.02	5,480.00
30	210350	FIBER ROLLS	930.0 LF	4.00	3,720.00
31	210430	HYDROSEED	274,000.0 SQFT	0.07	19,180.00
32	260203	CLASS 2 AGGREGATE BASE (CY)	9,530.0 CY	43.00	409,790.00
33	390132	HOT MIX ASPHALT (TYPE A)	12,100.0 TON	73.00	883,300.00
34	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	160.0 SQYD	10.00	1,600.00
35	397005	TACK COAT	6.0 TON	500.00	3,000.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
36	032471	JOINTED PLAIN CONCRETE PAVEMENT (TEXTURED PAVEMENT)	240.0 CY	620.00	148,800.00
37	566011	ROADSIDE SIGN - ONE POST	36.0 EA	250.00	9,000.00
38	566012	ROADSIDE SIGN - TWO POST	4.0 EA	650.00	2,600.00
39	568001	INSTALL SIGN (STRAP AND SADDLE BRACKET METHOD)	20.0 EA	30.00	600.00
40	032472	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)	240.0 SQFT	9.00	2,160.00
41	032473	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)	140.0 SQFT	9.50	1,330.00
42	032474	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-FRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)	260.0 SQFT	13.00	3,380.00
43	032475	RETROREFLECTIVE SHEETING (TYPE XI)	630.0 SQFT	7.00	4,410.00
44	650014	18" REINFORCED CONCRETE PIPE	270.0 LF	86.00	23,220.00
45	723050	ROCK SLOPE PROTECTION (1/4 T, CLASS V, METHOD B) (CY)	4.0 CY	900.00	3,600.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
46	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	12.0 SQYD	125.00	1,500.00
47	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	620.0 CY	500.00	310,000.00
48	731530	MINOR CONCRETE (TEXTURED PAVING)	97.0 CY	815.00	79,055.00
49	800360	CHAIN LINK FENCE (TYPE CL-6)	510.0 LF	21.00	10,710.00
50	802540	8' CHAIN LINK GATE (TYPE CL-6)	2.0 EA	1,500.00	3,000.00
51	810112	SURVEY MONUMENT (TYPE B)	1.0 EA	1,000.00	1,000.00
52	840504	4" THERMOPLASTIC TRAFFIC STRIPE	21,000.0 LF	0.60	12,600.00
53	840506	8" THERMOPLASTIC TRAFFIC STRIPE	200.0 LF	1.15	230.00
54	840515	THERMOPLASTIC PAVEMENT MARKING	1,030.0 SQFT	4.50	4,635.00
55	032476	12" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-3)	170.0 LF	3.40	578.00
56	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	1,700.0 LF	2.00	3,400.00
57	850111	PAVEMENT MARKER (RETROREFLECTIVE)	430.0 EA	5.00	2,150.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
58	870200	LIGHTING SYSTEM	LUMP SUM LS	LUMP SUM	95,000.00
59	870600	TRAFFIC MONITORING STATION SYSTEM	LUMP SUM LS	LUMP SUM	35,000.00
60	872130	MODIFYING EXISTING ELECTRICAL SYSTEM	LUMP SUM LS	LUMP SUM	83,000.00
61	BLANK		LUMP SUM LS	LUMP SUM	0.00
62	733000	PRE/POST CONSTRUCTION SURVEYS	8.0 EA	3,000.00	24,000.00
63	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	230,000.00
Total Bid					\$3,165,306.00

Bidding Firm: Emmett's Excavation, Inc.

List this sub? Yes

1) Business Name ALL STEEL FENCE
Location City LATHROP State CA
California Contractor License Number 710512
Public Works Contractor Registration Number 1000000047
Portion of Work Subcontracted:

Item	%	Description
49	100	
50	100	

List this sub? Yes

2) Business Name NITTA EROSION CONTROL
Location City LOOMIS State CA
California Contractor License Number 401640
Public Works Contractor Registration Number 1000000478
Portion of Work Subcontracted:

Item	%	Description
12	100	
28	100	
29	100	
30	100	
31	100	

List this sub? Yes

3) Business Name SUPER SEAL AND STRIPE
Location City PASO ROBLES State CA
California Contractor License Number 396627
Public Works Contractor Registration Number 1000000752
Portion of Work Subcontracted:

Item	%	Description
1	100	
5	100	
7	100	
19	100	
20	100	

Bidding Firm: Emmett's Excavation, Inc.

List this sub? Yes

4) Business Name SUPER SEAL AND STRIPE
Location City PASO ROBLES State CA
California Contractor License Number 396627
Public Works Contractor Registration Number 1000000752
Portion of Work Subcontracted:

Item	%	Description
52	100	
53	100	
54	100	
55	100	
56	100	

List this sub? Yes

5) Business Name SUPER SEAL AND STRIPE
Location City PASO ROBLES State CA
California Contractor License Number 396627
Public Works Contractor Registration Number 1000000752
Portion of Work Subcontracted:

Item	%	Description
57	100	

List this sub? Yes

6) Business Name KRC SAFETY CO INC
Location City VISALIA State CA
California Contractor License Number 507950
Public Works Contractor Registration Number 1000004730
Portion of Work Subcontracted:

Item	%	Description
2	100	
4	100	
6	100	
8	100	
18	100	

Bidding Firm: Emmett's Excavation, Inc.

List this sub? Yes

7) Business Name KRC SAFETY CO INC
Location City VISALIA State CA
California Contractor License Number 507950
Public Works Contractor Registration Number 1000004730
Portion of Work Subcontracted:

Item	%	Description
21	100	
37	100	
38	100	
39	100	
40	100	

List this sub? Yes

8) Business Name KRC SAFETY CO INC
Location City VISALIA State CA
California Contractor License Number 507950
Public Works Contractor Registration Number 1000004730
Portion of Work Subcontracted:

Item	%	Description
41	100	
42	100	
43	100	

List this sub? Yes

9) Business Name AUSTIN ENTERPRISE
Location City BAKERSFIELD State CA
California Contractor License Number 764893
Public Works Contractor Registration Number 1000001896
Portion of Work Subcontracted:

Item	%	Description
36	6	SAWCUT JOINTS FOR JOINTED PLAIN CONCRETE PAVEMENT

**Emmett's Excavation, Inc.**

6207 E. Clinton Avenue Fresno, CA 93727
Tel: (559) 347-9188 Fax: (559) 348-9272
California License # 579845

December 1, 2016

John C. McMillan
Deputy Division Chief
Office Engineer
Division of Engineering Services
State of California Department of Transportation (Caltrans)
1727 30th Street, Bidder Exchange, MS 43
Sacramento, CA 95816-8041
Fax 916-227-6282

Subject: Contract 06-0P5904
Bid Opened: November 30, 2016
Inadvertent Clerical Error Notification Letter

Dear Mr. McMillan,

This letter is to advise Caltrans that Emmett's Excavation, Inc., (EEI) committed an inadvertent clerical error in our electronic bid submittal for Contract No. 06-0P5904 when we selected the "no" box under the "List this Subcontractor" selection box prior to hitting the submit button for the subcontractor Cable Links Construction performing work on bid items #58, 59, and 60 at 100% bid item performance.

EEI intended to select the "Yes" option under the "List this Subcontractor" selection box. (See attached Screenshot of error made in Bid Expedite Program)

We hereby assert our claim to correct this clerical error and request relief within two working days after the time of bid opening in accordance with Section 4107.5 and 4107(a)(1) of the Public Contract Code.

Upon award of the contract, EEI will subcontract with Cable Links Construction to perform the lighting and electrical work as intended. We hereby also request that you show Cable Links Construction as our listed subcontractor to perform Bid Items #58, 59, and 60 at 100% in your bid summary.

Thank you, respectfully,

A handwritten signature in black ink, appearing to read "David Walsh", with a stylized flourish at the end.

David Walsh
General Manager

**Inadvertant Clerical Error
(Should Have been Checked Yes)**

List this subcontractor?

No

10) Business Name CABLE LINKS CONSTRUCTION

Location City FRESNO

State CA

California Contractor License Number

920774

Public Works Contractor Registration Number

1000000835

Portion of Work Subcontracted:

Item	#	Description
58	100	
59	100	
60	100	

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904

Project ID: 0612000182

Bidder Name:Chris

Bidder ID:DEMOIB

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Chris

List this sub? Yes

See MISC Plan from Contractor

MS 12-1-16

10) Business Name CABLE LINKS CONSTRUCTION

Location City FRESNO State CA

California Contractor License Number 920774

Public Works Contractor Registration Number 1000000835

Portion of Work Subcontracted:

Item	%	Description
58	100	
59	100	
60	100	

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12A (REV. 8/2012)

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date: Bidder's Name:

Signature: _____

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California?:

YES/NO: No Certification number? :NA

Note: This small business questionnaire is included for statistical reporting only.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number, the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
Yes

1. Type of Federal Action: a. contract

2. Status of Federal Action: a. bid/offer/application

3. Report Type: a. initial

For Material Change Only:

Year NA

Quarter NA

Date of last report NA

4. Name and Address of Reporting Entity:

PRIME

Tier NA ,if known

Congressional District, if known: 22

5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

EMMETT'S EXCAVATION, INC. 6207 EAST CLINTON AVE, FRESNO, CA 93727

Congressional District, if known: 22

6. Federal Department/Agency:

NA

7. Federal Program Name/Description:

NA

CFDA Number, if applicable NA

8. Federal Action Number, if known: NA

9. Award amount, if known (\$): 0.00

10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

NA

b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):NA

11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____

Print Name: LUCRETIA EMMETT

Title: VICE PRESIDENT

Telephone No.: 559-347-9188

DATE: 11/28/2016

Federal Use Only:

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Standard Form - LLL(Rev. 7-97)

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name: Emmett's Excavation, Inc.

Bidder ID: VC0000103869

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder EMMETT'S EXCAVATION, INC., proposed subcontractor NA, certifies that he has participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND
SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

NA

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

NA

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID
Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of FRESNO

Name LUCRETIA EMMETT,

being first duly sworn, deposes and says that he or she is

VICE PRESIDENT of

EMMETT'S EXCAVATION, INC.

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0P5904 Project ID: 0612000182

Bidder Name:Emmett's Excavation, Inc.

Bidder ID:VC0000103869

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No

If the answer is yes, explain the circumstances in the following space.
NA

ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ♦ 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.
NA

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD
RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?

No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

NA

END CERTIFICATIONS

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE 0102.3 (REV 08/2016)
Contract No. 06-0P5904

Bond No. _____

We _____
_____ as Principal, and

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for
CONSTRUCTION ON STATE HIGHWAY IN
TULARE COUNTY FROM 0.4 MILE WEST OF ROAD 152 TO 0.7 MILE WEST OF ROAD 160
In District 06 on Route 190
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on
11-30-16.

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: _____, 20____.

Principal: _____

Surety: _____

Address of Surety: _____

(for correspondence or claims)

By _____

Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On this _____ before me, _____

Date Here insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE _____

Signature of Notary Public

(SEAL)

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

Contract No. 06-0P5904

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Bond No. Bid Bond

We Emmett's Excavation, Inc.6207 E. Clinton Ave. Fresno. CA 93727

as Principal, and

Fidelity and Deposit Company of Maryland

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:WHEREAS, the Principal is submitting a bid to the Obligee, for Intersection Improvement, Drainage swales, Basin & Lighting-

(Copy here the exact description of work, including location, as it appears on the proposal)

Porterville, CAfor which bids are to be opened at Sacramento, CA

(Insert place where bids will be opened)

on November 16, 2016

(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: November 10, 2016.

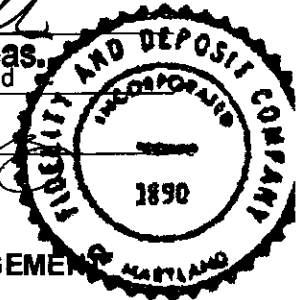
Correspondence or claims relating to this bond should be sent to the surety at the following address: Fidelity and Deposit Company of Maryland
1400 American Lane, Tower I, 18th Floor
Schaumburg, IL 60196

Emmett's Excavation, Inc.By Lucretia EmmettLucretia Emmett V/P, Sec., Treas.Fidelity and Deposit Company of Maryland

Surety

By Bonnie GonzalezBonnie Gonzalez

Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of _____

SEE ATTACHED SURETY ACKNOWLEDGEMENT

On this _____ before me, *PLEASE SEE ATTACHED CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT*

Date

Here Insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature _____

Signature of Notary Public

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Civil Code § 1189

State of California)
) ss
County of Fresno)

Lyn Genito, Notary Public

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **MICHAEL BOND, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Steven P. EDWARDS, Cody LYMAN, Lyn GENITO, Bonnie GONZALEZ and Trey BUSCH, all of Fresno, California, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 12th day of September, A.D. 2016.

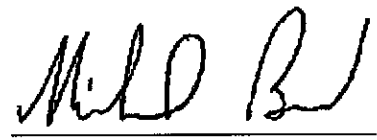
ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: 

*Secretary
Michael McKibben*

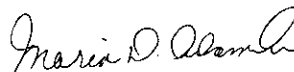


*Vice President
Michael Bond*

**State of Maryland
County of Baltimore**

On this 12th day of September, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **MICHAEL BOND, Vice President, and MICHAEL MCKIBBEN, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2019*



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 10 day of November, 2016.



Gerald F. Haley

Gerald F. Haley, Vice President